

EXHIBIT 9

MAYER • BROWN

Mayer Brown LLP
71 South Wacker Drive
Chicago, Illinois 60606-4637

Main Tel +1 312 782 0600
Main Fax +1 312 701 7711
www.mayerbrown.com

August 1, 2014

BY ELECTRONIC MAIL

Steven A. Zalesin
Patterson Belknap Webb & Tyler LLP
1133 Avenue of the Americas
New York, NY 10036-6710

Richard M. Assmus
Direct Tel +1 312 701 8623
Direct Fax +1 312 706 9125
rassmus@mayerbrown.com

Re: *Nestlé Purina PetCare Co. v. Blue Buffalo Co. Ltd.*, Case No. 4:14-cv-00859 (RWS)

Dear Steve:

We write in response to your letter of this morning.

Blue Buffalo may share the documents at issue with the employees identified in my letter of July 31, 2014, which are all the employees Mr. Mangi identified as requiring such access. Given Purina's position, we do not believe Blue Buffalo has any reason to further challenge the designation of these documents. To the extent Blue Buffalo believes that it needs to share these documents with others in order to develop its case, we would be happy to consider your proposal for re-designation. In short, we do not understand what remains at issue with respect to the designation warranting further time and resources of the parties or the Court.

Additionally, your letter again takes issue with Dr. Makowski's methodologies and results, which do not bear on the adequacy of Purina's document production. Your first letter of July 28, 2014 requested documents sufficient to show the date and location of the purchases of the sampled products, and we produced today purchase receipts (PUR 338-341). Purina is not withholding documents that provided the basis for the independent testing allegations in Purina's complaint. Further, the products tested were plainly not of "unknown origin," nor is the test methodology "unverifiable," and we direct you in that latter regard to Dr. Makowski's book, *Microscopic Analysis of Agricultural Products*, 4th Edition (2011), American Oil Chemists' Society Press.

Sincerely,



Richard M. Assmus

cc: Carmine Zarlenga
David A. Roodman